

### **Remark**

Applicants respectfully request reconsideration of this application as amended. No claims have been amended. Claim 8 has been canceled. Therefore, claims 1-7 and 9-25 are now presented for examination.

### **Double Patenting**

Claims 1, 11, 16 and 23 rejected on the ground of nonstatutory obviousness type double patenting as being unpatentable over claims 1, 8, and 14 of U.S. Patent No. 6,842,190 in view of Matsumoto et al. U.S. Patent No. 6,590,608. A terminal disclaimer is enclosed herewith

### **35 U.S.C. §102(e) Rejection**

#### **Matsumoto**

Claims 1-7 and 9-25 are rejected under 35 U.S.C. §102(e) as being anticipated by Matsumoto et al., U.S. Patent No. 6,590,608 (“Matsumoto”). In Matsumoto, as noted by the Examiner, differential information is generated. The only description provided is that it is a difference between the image and the reference image (Col. 16, line 1). The only use for it is to send it to the image compressor (Col. 16, line 5). There is no mention of the differential information being recovered or used in any other part of the application.

Claim 1 recites first “comparing... auxiliary information... to determine differential information.” In Matsumoto, the differential information is based on images, not auxiliary or “attribute data.”

Claim 1 further recites “annotating the differential information to the video bit stream...” Matsumoto does not state that the differential information is annotated to a

video bit stream, but only that it is sent to the image compressor. While a single line is shown in the generalized block diagram of Figure 39, there may be multiple and separate lines. The differential information might also be sent separately and headers might be used to link the information with each photo. There is nothing in the reference that shows an annotation operation with differential information. Other figures, such as Figure 32 show picture data with image data and attribute data, but differential data is described as different from attribute data.

Claim 1 further recites, “annotating... only if the differential information indicates a change...” In the Response to Arguments, the Examiner indicates that it is not necessary to provide the differential information in Matsumoto if there is no difference between the images, but cannot cite to any part of Matsumoto to show that this is done. There is simply nothing in Matsumoto to show that the differential information is not calculated and sent each and every time.

Finally, Claim 1 recites “video frame of a sequence of video frames.” Matsumoto is clearly directed to still photography and there is nothing to show that the differential information is contemplated for video sequences.

Accordingly, Claim 1 is believed to be allowable over the references. The other claims, not discussed above, contain similar limitations and are believed to be allowable on the same or similar grounds, *inter alia*.

### **Conclusion**

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

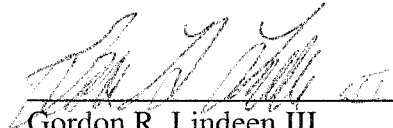
Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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